

**SECOND DAY.**

Senate Chamber,  
Austin, Texas,  
Wednesday, January 10, 1917.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor W. P. Hobby.

The roll was called, a quorum being present, the following Senators answering to their names:

**Present.**

Alderdice.	Hopkins.
Bailey.	Hudspeth.
Bee.	Johnson of Hall.
Buchanan of Bell.	Johnston of Harris.
Buchanan of Scurry.	King.
Caldwell.	Lattimore.
Clark.	McCollum.
Dayton.	McNealus.
Dean.	Page.
Decherd.	Parr.
Floyd.	Robbins.
Gibson.	Strickland.
Hall.	Suiter.
Harley.	Westbrook.
Henderson.	Woodward.

**Absent—Excused.**

Smith.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with, on motion of Senator Westbrook.

**Appointments by Lieutenant Governor.**

Lieutenant Governor Hobby announced the appointment of the following pages and porters:

Pages—Arthur Lebovitz, Johnnie Haidusek, William Atkinson Private, Brooks Lemburg, Paul Bledsoe, Fielding Jones, Max Hauschild, Stewart Francis, Jno. Hurley, Roy Burns, Valta Layne, A. W. Kennard, Quintus Mundine, Robert Lunsford, Eugene Potter.

Porters — Ellis Monroe, Irwin Hatcher, Horace Nichols, Tom White, Ed Williams, Tom Plummer, Green Mendaris, Andrew Murphey, Buck Green, Tom Burton, Alex Swanson.

**House Notification Committee.**

A committee from the House here appeared at the door of the Senate and notified the Senate that the House was organized and ready for business.

**Senate Committee Report.**

Notification committees, appointed on yesterday, here appeared, made reports, and were discharged.

**Assignment of Stenographers.**

Pursuant to the caucus resolutions adopted on yesterday providing for stenographers for Senators, the following names have been furnished the Secretary as the appointee for district designated:

District No. 1—Miss Mary W. McCollum, Texarkana, Texas.

District No. 2—Chas. D. Berry.

District No. 3—Miss Tysie Ragsdale, Bonham, Texas.

District No. 4—Miss Nellie Lowday.

District No. 5—Miss Monette Smith.

District No. 6—Miss Mary Thompson.

District No. 7—Miss Allye Smith.

District No. 8—Miss Melissa Meneff, Center, Texas.

District No. 9—Miss Minnie Collins, Athens, Texas.

District No. 10—Miss Jennie Brin.

District No. 11—H. O. Bishop, Waco, Texas.

District No. 12—(Not announced)

District No. 13—Miss Rena Hunter.

District No. 14—R. E. King.

District No. 15—Mrs. Margaret Mitchell.

District No. 16—Miss Theodora Bell.

District No. 17—Miss Lillian Oshman.

District No. 18—Miss Fannie S. Daniel.

District No. 19—Miss Ada Bell.

District No. 20—Miss Stella Lindheimer.

District No. 21—Miss Mabel Kenze.

District No. 22—Mrs. Nellie Shannon.

District No. 23 — Miss Myrtle O'Reilly.

District No. 24—Miss Ernestine Lewy, San Antonio, Texas.

District No. 25—Miss Annie Donnelly.

District No. 26—Mrs. Irene Leuenberger.

District No. 27—Charles W. Taylor.

District No. 28—J. Burney Bennett, Abilene, Texas.

District No. 29—Miss May Anthony.

District No. 30—Miss Margaret Ross.

District No. 31—Miss Margaret Fry.

Stenographer to Lieutenant Governor, Curtis Knobelsdorf. Messenger to Lieutenant Governor, Major J. S. Crawford. Private Secretary to Lieutenant Governor, Edwin L. Rowe.

#### At Ease.

Here the Senate, on motion of Senator McNealus, was at ease until 11 o'clock.

#### Message From the Governor.

Gentlemen of the Thirty-fifth Legislature:

I need you, and you need me, and the people need us both, to accomplish those things which represent their will. Therefore, with a full sense of our obligations to our respective constituencies, I respectfully ask your earnest consideration of the following matters, which under our law I am permitted to call to your attention. The subject cannot better be considered than by addressing ourselves to two questions: What has been done, and what can be done.

By laboring together in a spirit of friendly feeling, the Thirty-fourth Legislature and this department passed many laws that are of great good to the great masses of our people whose honor it is mine and yours to serve.

#### Tenant Law.

The Thirty-fourth Legislature of Texas was the first lawmaking body in the history of legislation to take notice of the rights of the tenant farmers, who produce over half of

the wealth of the country, and a law was passed to prevent that sturdy class of our citizenship from being oppressed by extortionate rents. It may be that the law is being violated in some cases, but from many parts of the State letters have come to me from tenant farmers, testifying to the benefits that have accrued to them as a result of the law. The agitation of this question and the passage of this law have directed serious attention to the land question, and to our great gratification, our own national administration has established a farm loan bank in our State, at which institution the tenant farmer, who having been protected from extortionate rents by the tenant law, has an opportunity to accumulate something and then go to the farm loan bank and obtain a liberal loan on long time at very liberal rates of interest with which to buy his own home.

#### Other Acts of the Thirty-fourth Legislature.

The Thirty-fourth Legislature was the first Legislature to pass a law for special aid to country schools.

The Thirty-fourth Legislature was perhaps generous to a fault to the cause of higher education.

Many other wholesome acts were passed by the Thirty-fourth Legislature as a result of a patriotic desire of all parties concerned to do something for the real good of the people. I have every reason to believe that the present session will be attended with the same friendly impulses and influences.

As a general rule, the State institutions and departments have been managed in a conservative, economical and efficient manner, and your special attention is invited to the official reports of the various institutions which have been printed for distribution to the public.

#### The Penitentiary System.

Under the present administration the penitentiary system has been more than self-sustaining. The Thirty-fourth Legislature appropriated four hundred and sixty-five thousand dollars (\$465,000) for the support of the system for the years 1915 and 1916. On the first of January, 1917,

the system had on hand in cash and unsold cotton and sugar the sum of four hundred thousand dollars (\$400,000), and sufficient corn, syrup and potatoes for use of the system worth at least one hundred thousand dollars (\$100,000).

This administration purchased 17,300 acres of land situated in Trinity and Madison counties for the penitentiary system at \$25 an acre. The land was paid for by the execution of the Prison Commission notes due in ten annual installments, bearing 6 per cent interest per annum and secured only by a vendor's lien on the land and the credit of the State was not and could not have been pledged to secure the payment of said purchase price of the land. But how the payment is to be made is of small moment, because this 17,300 acres of land is worth \$40 an acre and there was made for the State in this purchase more than a quarter of a million dollars profit, and the land will yet be made more valuable. There was also purchased for the penitentiary system 1800 acres adjoining what is known as the Shaw Farm of about 2500 acres, on Red River for approximately \$14 an acre and paid for in the same way as the other purchase. While this 1800 acres, in my opinion, is not worth in its present state very much more than was paid for it, yet as the State already had purchased the Shaw Farm and erected its gin and prison buildings thereon, it was decidedly advantageous to the State to buy this 1800 acres adjoining the 2500 acres, so that the State would have a farm large enough that could be economically farmed under one management.

No appropriation for the support of the penitentiary system will be asked for, and, excepting a few matters relating to hours of work, control of its finances, and the transfer of prisoners, there need be no material changes in the present penitentiary law.

#### The Future.

Now as to the second question: What can be done?

Let me especially invite your attention to the demands of our Democratic party, as fully set forth in the platform passed in convention duly assembled in the city of Houston in

August, 1916. I do not believe that there is a single plank in that platform but what is worthy of the careful and serious notice of this Legislature.

#### Itemized Appropriations.

There are planks in the platform which I desire to specifically call to your attention. Plank 5 is as follows: "We urge upon the Legislature in making appropriations for the support and maintenance of the various departments and institutions of our State, to clearly itemize all such appropriations, so that the people may be fully informed as to the purpose for which any appropriation is made."

This recommendation is absolutely essential. It now costs millions to run our State government, and if we cannot tell the people what we are going to do with the money and then in good faith do what we say we are going to do with it, the people will rightfully distrust us, and as a result some meritorious needs will be denied. If there are small contingencies that cannot be foreseen, provide for them in a contingent fund, and itemize the main budget.

#### Farm Legislation and Labor.

Special consideration should be given to Plank 6, demanding farm legislation.

The demands of labor set forth in Plank 7 of the Democratic platform should be carefully considered and respected. In order that our ranks of labor may be generally employed, I ask your special consideration of what is known as the "Buy-It-Made-in-Texas" movement.

#### Foreign Capital.

In accordance with our platform, let us continue a liberal policy towards the foreign investor. We need him and he needs us.

#### New Asylum.

It is imperative that we build a new asylum to care for the rapidly increasing number of the insane. All our present institutions have been enlarged to where it is not sanitary, healthful or safe to further enlarge them. Hence the demand for a new institution.

## Country Schools.

Your attention is specially directed to the demand of our party that the sum of two million dollars (\$2,000,000) be appropriated to aid the country schools. Under the appropriation of one million dollars made by the Thirty-fourth Legislature about 1450 country schools have been helped from an average term of four and a half months to more than a six months' term. The appropriation of two million dollars for the same purpose will enable every country school in Texas to get much needed relief.

I have been charged with being against higher education. The charge is untrue and the record will show that it is untrue. As long as higher education remains democratic and does not seek any more rights than is guaranteed to the average citizen, then I am for higher education. But when higher education becomes either autocratic or aristocratic in its ways or customs and begins to arrogate to itself an unwarranted superiority over the great masses of the people, who make higher education possible, and wants to rule with a college diploma alone, then I am against higher education and I consider it "book learning" gone to seed.

I am in favor of liberal appropriations for the support of our Universities and Colleges, but for every dollar appropriated for such purposes there should be at least three dollars set aside for the aid of the high schools in the towns and graded schools in the country. "The greatest good to the greatest number" is a sacred tenet of democracy. "Special privilege to none" is the foundation of republics.

## Highway Commission.

Another and very important demand of our party is that a highway commission be created, entrusted with the power of building and maintaining State and county highways. The cost of said department to be paid by an occupation tax on motor vehicles.

This legislation is needed for two good reasons, at least. First, as the National government has appropriated money for the building of highways in those States where a highway commission is created, it is necessary to create such a commission so that federal aid, which will amount in a few years to millions of dollars, may be

obtained for Texas. The other reason is that a State tax is the only way to equalize the cost of State highways. The man living in Dallas who would enjoy the luxury of a fine car on a good pike road from Dallas to San Antonio ought to pay part of the maintenance of that road and all the cost should not be borne by the taxpayers of Ellis or Williamson County just because that road passed through their county.

In order that the general public may enjoy the use of the public highways with reasonable safety, I am in favor of a law making it a jail penalty to run an automobile in any incorporated town more than ten miles an hour or more than twenty-four miles an hour on a county road. There is an imperative demand that the speed maniac be dealt with in some drastic way.

## Judicial Reform.

The platform calls for judicial reform and present conditions demand that something be done.

I recommend especially that an act be passed to immediately relieve the crowded condition of the Supreme Court.

I recommend that all statutes relating to practice and procedure in the courts be repealed and the Supreme Court be given power to establish rules of practice and procedure. This will be the means of doing away with many useless laws that are responsible for the law's delay.

## Live Stock.

Our party is especially committed to the passage of legislation that will foster and encourage the live stock industry. I know of no one thing that would add more to our wealth in as short time as the eradication of the tick. For this and many other reasons liberal appropriations should be made for the support of the Live Stock Sanitary Commission and the general upbuilding of the sheep, goat, cattle, horse and swine herds of the State.

## Bearing Arms.

We are daily appalled at the increase of homicides. The pistol toter must go.

"The law permitting the traveler to carry arms was passed when Texas was a frontier and when travel was



attended with dangers that do not now exist. This law should be repealed.

I would also favor a law that would make it a jail penalty to unlawfully carry a pistol, and I would go further and make the law so that a killing with a pistol, unlawfully carried, would deprive the defendant of the right to plead self-defense.

#### Ranger Service.

Conditions in Mexico do not appear to improve, and as a result our border troubles will be with us for perhaps years to come. For this special reason, as well as others, I recommend that liberal appropriations be made to provide a ranger service of maximum efficiency.

The salary should be made of sufficient amount to get and keep the best men for this service obtainable.

#### The Adult Blind.

The Thirty-fourth Legislature wisely provided a fireproof building in which to educate the blind children of the State. The blind labor under many difficulties. Even when they are competent, very few people will employ them because they are blind. Many blind people have grown up without the education usually obtained in blind schools. They have no way to make a living and are forced upon the charity of society.

A government can perform no greater work than that of humanity to man. I, therefore, recommend the establishment of an industrial institution for the adult blind of the State, where they may learn a trade and where a factory can be operated by adult blind people under the supervision of the State. Such an institution could be made self-sustaining and it would take from the streets of our cities many deserving people who want a chance to live by their own labor.

#### Changes in Election Laws.

There appears to be a pressing need for some changes in our election laws, and I especially invite your careful consideration of the question.

At least one reform in the election laws should be made. The traveling men and the railroad men represent a very large and worthy part of our voting population. Their occupations very often call them away from home

on election day and they are prevented from having the voice in our elections that they are entitled to.

There can be no objection, legal or constitutional, to the passage of a law permitting the railroad and traveling men, or any other citizen, detained away from home on election day and otherwise qualified, to vote, to vote by a sealed ballot duly deposited with the election judge one or two days before the election day, to be opened and counted on election day.

#### Congressional Redistricting.

In order that the people may have that representation in the National Congress which the framers of the Constitution intended, the matter of redistricting the State into Congressional Districts should be given proper consideration, already long delayed.

#### Deficiency Appropriations.

There were few deficiency appropriations for the year 1915. The deficiency appropriations granted by this department within the last year amounted to a total of \$239,297.69. I trust that this matter will receive your early consideration, as the appropriations were made to meet, in the main, pressing demands. An itemized statement of this amount will be obtained and furnished immediately.

In conclusion, let me again say that I need your help to perform the duties of my department. While the law has divided the government into three departments, yet the functions of each have such direct relation with each other that the successful operation of each department is based upon a friendly relation and co-operation with the other. So, guided by this duty and impelled by this impulse, I most cordially invite every member to a closer personal and official relation, in order that we may more properly do those things which we are sent here to do.

Respectfully,

JAS. E. FERGUSON,  
Governor of Texas.

#### Bills and Resolutions.

By Senator Clark:

S. B. No. 1, A bill to be entitled

"An Act creating a State Highway Commission, providing for the appointment of its members; creating a State Highway Department and making an appropriation for the expenses thereof; providing for a tax on motorcycles and motor vehicles; and declaring an emergency."

Read first time and referred to Committee on Roads, Bridges and Ferries.

By Senator Clark:

S. B. No. 2, A bill to be entitled "An Act expressing the assent of the State of Texas to the provisions of an Act of the Sixty-fourth Congress of the United States, approved July 11, 1916, providing for the Federal aid in the construction of Post roads in the States of the Union; authorizing the Texas State Highway Commission to co-operate with the United States Secretary of Agriculture in the administration of the said Act of Congress; and declaring an emergency."

Read first time and referred to Committee on Roads, Bridges and Ferries.

By Senator Clark:

S. B. No. 3, A bill to be entitled "An Act to repeal Chapter 18 of the General Laws of the Thirty-first Legislature, relative to fire insurance companies; prescribing conditions for transacting business, and declaring an emergency."

Read first time and referred to Committee on Insurance and Banking.

By Senator Clark:

S. B. No. 4, A bill to be entitled "An Act to amend Chapter 1, Title 106 of the Revised Civil Statutes of 1911, by adding thereto Article 6293a, permitting legally registered practitioner of medicine, being owners and proprietors of drug stores and pharmacies, to compound prescriptions and dispense medicines."

Read first time and referred to Committee on Public Health.

By Senator Westbrook:

S. B. No. 5, A bill to be entitled "An Act to amend Article 1521 of the Revised Statutes defining the jurisdiction of the Supreme Court, as amended by the Acts of 1913,

page 107, and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Westbrook:

S. B. No. 6, A bill to be entitled "An Act to amend Article 4610 of Chapter 1, Title 68, Revised Civil Statutes of 1911, providing that all persons desirous of marrying in this State shall procure a license authorizing its celebration, and declaring all marriages contracted, entered into or celebrated in any other manner null and void."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Johnson:

S. B. No. 7, A bill to be entitled "An Act to apportion the State of Texas into Senatorial Districts: to specify the county to which the returns of an election shall be sent, on which the county judge shall issue certificates of elections, repealing all laws in conflict herewith and declaring an emergency."

Read first time and referred to Committee on Senatorial Districts.

By Senator Johnson:

S. B. No. 8, A bill to be entitled "An Act to amend Article 548, Chapter 4, Title 11, of the Penal Code of the State of Texas."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senators Johnson and Westbrook:

S. B. No. 9, A bill to be entitled "An Act to amend Section 116 of Chapter 96, Acts of Regular Session of the Thirty-second Legislature providing for the granting of teacher's certificates and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senator Johnson:

S. B. No. 10, A bill to be entitled "An Act to amend Article 3757, Title 54, Chapter 1, of the Revised Civil Statutes of 1911, of the State of Texas, to provide for the notice of sale of real estate under execution and declaring an emergency."

Read first time and referred to committee on Public Printing.

By Senator Dayton:

S. B. No. 11, A bill to be entitled "An Act to apportion the State of Texas into Congressional Districts, naming the counties composing the same, and providing for the election of a member of the Congress of the United States from each district, and repealing all laws and parts of laws in conflict herewith."

Read first time and referred to committee on Congressional Districts.

By Senator Dayton:

S. B. No. 12, A bill to be entitled "An Act to amend Article 1905, Chapter 8, Title 37, of the Revised Statutes of the State of Texas of 1911, and to fix the time of filing an answer in all cases where the defendant is cited by publication."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator McNealus:

S. B. No. 13, A bill to be entitled "An Act providing for the payment by the State of Texas of a monthly pension to indigent, widowed mothers for the partial support of their children in their own homes."

Read first time and referred to Committee on State Affairs.

By Senator McNealus:

S. B. No. 14, A bill to be entitled "An Act to exempt from taxation all public securities issued after this Act takes effect."

Read first time and referred to Committee on State Affairs.

By Senator McNealus:

S. B. No. 15, A bill to be entitled "An Act for the prevention of the unnecessary destruction and extinction within the State of Texas, of foxes, raccoons, minks, skunks, and other fur-bearing animals; and providing appropriate penalties."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senator McNealus:

S. B. No. 16, A bill to be entitled "An Act to amend Articles 6290, 6292, 6293, 6294, 6295, 6296, 6297 and 6298, Chapter 1, Title 106, Revised Civil Statutes of the State of Texas for 1911; making it the duty of the Texas State Board

of Pharmacy to examine applicants for registration in the months of June and January of each year; prescribing the fees that may be charged for such examination; making it unlawful for any person not licensed under the provisions of this Act to conduct or manage any pharmacy, drug, or chemical store, or other place of business for the retailing, compounding, or dispensing of certain drugs, or for the compounding of physicians' prescriptions; prescribing the percentage applicants for registration must make on examinations; providing for the issuance of a life certificate to practice pharmacy by the said Board of Pharmacy; defining the term 'Practice Pharmacy'; providing for reciprocity with other States; providing for the renewal of certificates and the fees to be charged therefor; fixing a penalty for the violation of any of the provisions of this Act; amending Article 781, and repealing Articles 771, 772, 773, 774, 775, 776, 778 and 780, of Chapter 8, Title 12, of the Revised Criminal Statutes of the State of Texas for 1911, and all laws or parts of laws in conflict with this Act."

Read first time and referred to Committee on Public Health.

By Senator Hudspeth:

S. B. No. 17, A bill to be entitled "An Act to authorize the construction of and make an appropriation for the construction of a main building, chemical laboratory building, dormitory and power house for the School of Mines of the State of Texas, located in El Paso, Texas, and to make an appropriation of all funds collected from insurance on the burned buildings of said School of Mines for said purpose, and for furnishing, equipping and maintaining said School of Mines, and declaring an emergency."

Read first time and referred to Committee on Finance.

By Senator Hudspeth:

S. B. No. 18, A bill to be entitled "An Act creating a Highway Commission to be known as the Texas Highway Commission, and providing for the construction, reconstruction and improvement of State highways and providing for the payment of the cost thereof."

Read first time and referred to Committee on Roads, Bridges and Ferries.

By Senator Decherd:

S. B. No. 19, A bill to be entitled "An Act to make an emergency appropriation for the cost of construction of a fire proof dormitory; to supplement the present available appropriation for the erection of a power plant, and to provide for the maintenance, support and direction of the Summer School at the Agricultural and Mechanical College of Texas for the fiscal year ending August 31, 1917, and declaring an emergency."

Read first time and referred to Committee on Finance.

By Senator Decherd:

S. B. No. 20, A bill to be entitled "An Act to provide an appropriation for the maintenance and support of the Agricultural and Mechanical College of Texas in conformity to the provisions of an Act passed by the Thirty-fourth Legislature providing for the issuance of certain State Bonds and authorizing the retirement of certain bonds of the State of Texas; etc." and declaring an emergency.

Read first time and referred to Committee on Finance.

By Senator Bee:

S. B. No. 21, A bill to be entitled "An Act making appropriation to pay the mileage and per diem of the Presidential Electors of Texas for the year 1917 and declaring an emergency."

Read first time and referred to Committee on Finance.

By Senator Bee:

S. B. No. 22, A bill to be entitled "An Act to protect the lives, health and morals of women workers, establishing an Industrial Welfare Commission for Women, to be composed of the Commissioner of Labor of this State and the Industrial Accident Board, prescribing its powers and duties and providing for the fixing of minimum wages and the standard condition of labor for such workers; providing penalties for violation of this Act, making an appropriation therefor and declaring an emergency."

Read first time and referred to Committee on Labor.

By Senator Bee:

S. B. No. 23, A bill to be entitled "An Act to apportion the State of Texas into Congressional Districts, naming the counties composing the same, and providing for the election of a member of the Congress of the United States from each district and repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Read first time and referred to Committee on Congressional Districts.

By Senator Bee:

S. B. No. 24, A bill to be entitled "An Act to amend Article 1317, Title 25, Chapter 26, Revised Civil Statutes of Texas, relating to the rights of foreign corporations in Texas under permits and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Bee:

S. B. No. 25, A bill to be entitled "An Act exempting from taxation Catholic Womens' Homes and Associations used exclusively for the purpose of furthering religious work, and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Bee:

S. B. No. 26, A bill to be entitled "An Act to amend Articles 312, 314 and 318, of Chapter 1, Title 12, entitled Attorney at Law, of the Revised Statutes of 1911 of the State of Texas, relating to the granting of licenses to attorneys at law, so as to require applicant for license to apply to the board of legal examiners of the supreme judicial district in which such applicant resides; providing that where applicant is refused license he must apply thereafter to the same board, and providing that immigrant attorneys must apply to the board of examiners of the supreme judicial district in which the seat of government of this State may be, and to repeal all laws in conflict herewith."

Read first time and referred to Committee on Civil Jurisprudence.



By Senator Bee:

S. B. No. 27, A bill to be entitled "An Act to amend Article 7057 and 7059, Chapter 3, Title 120, of the Revised Civil Statutes of Texas, relating to salaries of Judges of the Supreme Court, the Court of Criminal Appeals, Courts of Civil Appeals, and District Judges.

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Bee:

S. B. No. 28, A bill to be entitled "An Act to amend Article 4632 of the Revised Civil Statutes (1911) of the State of Texas relating to the granting of divorces and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Bee:

S. B. No. 29, A bill to be entitled "An Act to repeal Articles 32 to 55, inclusive, Title 6, Chapter 1, of the Revised Civil Statutes of Texas, relating to apprentices and repealing all laws in conflict therewith and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Bee:

S. B. No. 30, A bill to be entitled "An Act regulating the submission of facts to juries in civil cases, directing the time and manner of preparing charges, special issues and instructions, submission to counsel for objections, reading to the jury and a revise of the same on appeal; and to amend Chapter 13, Title 37, of the Revised Statutes of Texas, 1911, by repealing Articles 1970 to 1975, inclusive, and substituting in place thereof the Articles herein enacted; and to repeal Chapter 59 of the Acts of the Regular Session of the Thirty-third Legislature of the State of Texas, approved March 29, 1913; Articles 1954, Chapter 12, Title 37; Article 1992, Chapter 14, Title 37; and Article 2061, Chapter 19, Title 37, Revised Statutes of Texas of 1911, and all other laws in conflict herewith, and declaring an emergency for the passage hereof."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Bee:

S. B. No. 31, A bill to be entitled "An Act to amend Article

3903, Chapter 4, Title 58, of the Revised Civil Statutes of 1911, of the State of Texas, as amended by House Bill No. 229, at Regular Session of Thirty-third Legislature, relating to the appointment by certain officers named in Articles 3881 to 3886 of the Revised Civil Statutes, of deputies, or assistants in the performance of the duties of such officers where such assistants or deputies are necessary for the efficiency of the public service; providing for an application to be made by such officers to the county judge of the county for authority to appoint same; prescribing the issuance by the county judge of an order authorizing the appointment of such deputies, or assistants; providing that the officer desiring such deputies, or assistants, shall make affidavit that such assistants, or deputies, are necessary for the efficiency of the public service; providing for the salary of the chief deputy and of the other deputies or assistants; providing that the order of the county judge granting such authority shall state the number of deputies, or assistants, and the amount to be paid to each by such officers desiring their appointment; providing for the maximum amount allowed for deputies in counties having a population of 37,500 or more. And providing that in counties in excess of 100,000 inhabitants, district attorneys of any district, or county attorney, is authorized, with the consent of the county judge of said county, to appoint two assistants in addition to his regular force, which two assistants shall not be required to possess same qualifications required by law for district and county attorneys, providing amount paid such deputies, also providing for fifty dollars per month for necessary expenses, etc., and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Hudspeth:

S. B. No. 32, A bill to be entitled "An Act appropriating the sum of one hundred twenty-five thousand dollars (\$125,000.00), or so much thereof as may be necessary, out of the general revenue, not otherwise appropriated, to pay the mileage and per diem of members and the salaries and per diem of officers and

employees of the Thirty-fifth Legislature of the State of Texas, providing how accounts may be approved, and declaring an emergency."

Read first time and referred to Committee on Finance.

By Senator Hudspeth:

S. B. No. 33, A bill to be entitled "An Act making appropriation of the sum of thirty thousand (\$30,000.00), dollars, or so much thereof as may be necessary, to pay the contingent expenses of the Thirty-fifth Legislature of the State of Texas, providing how accounts may be approved, and declaring an emergency."

Read first time and referred to Committee on Finance.

By Senator Bee:

S. B. No. 34, A bill to be entitled "An Act providing a salary for district attorneys in counties having a population of more than 100,000 of \$500 and all fees, commissions and perquisites earned by such officer and exempting such district attorney from making accounting as required by Articles 3894 to 3897 inclusive, and by other provisions of law of such fees, commissions and perquisites, and repealing all laws fixing a maximum compensation allowed such district attorney for services rendered and repealing all laws requiring such district attorney to pay over any excess fees."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Henderson:

S. B. No. 35, A bill to be entitled "An Act to amend Article 1521 of the Revised Statutes of 1911, as amended by an Act of the Thirty-third Legislature of Texas, approved March 28, 1913, and entitled, 'An Act to amend Articles 1521, 1522, 1543, 1544, and 1526 of the Revised Civil Statutes of 1911, defining the original and appellate jurisdiction of the Supreme Court, and regulating practice therein,' so that the same shall hereafter read as follows:"

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Lattimore:

S. B. No. 36, A bill to be entitled "An Act to prohibit the manipulation of corporate stocks and

the bankrupting of corporations for speculative purposes."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senator Parr:

S. B. No. 37, A bill to be entitled "An Act to amend Articles 6772, 6773, 6774 and 6775, of Chapter 1, Title 117, Revised Civil Statutes of Texas, relating to the transcribing of records from the parent county into the newly created counties which have been created either in whole or in part from the territory of any other county or counties in this State, or to which may have been added since its creation the territory of any other county or counties in this State so as to authorize the commissioners court of the new county to employ a competent person to transcribe the same, other than the county clerk of such new county, to repeal all laws in conflict therewith and declaring an emergency."

Read first time and referred to Committee on Counties and County Boundaries.

By Senator Caldwell:

S. B. No. 38, A bill to be entitled "An Act confirming and enlarging, granting and regranteeing, dedicating and rededicating to the City of Austin, Texas, for exclusively Municipal Park and other recreational purposes, a strip of land of varying width fronting the Colorado River in the City of Austin, Texas, and extending from Waller to Shoal Creeks, and recognizing any leases heretofore made by the State of Texas, of any part of said strip of land, and declaring an emergency."

Read first time and referred to Committee on State Affairs.

By Senator Floyd:

S. B. No. 39, A bill to be entitled "An Act to enforce hire, tenant and share farming contracts, when money or goods are obtained thereon, and to punish their wilful violations; to make it an offense for persons not parties to said contract to wilfully interfere therein, and to prohibit the fraudulent arrest of and unlawful detention of persons under this Act, and prescribing penalties for the punishment thereof."

Read first time and referred to

Committee on Criminal Jurisprudence.

By Senator Johnston:

S. B. No. 40, A bill to be entitled "An Act to make appropriation to cover the cost of a fire proof brick dormitory at the Prairie View State Normal and Industrial College at Prairie View, Waller County, Texas, and declaring an emergency."

Read first time and referred to Committee on Finance.

By Senator Johnston, by request:

S. B. No. 41, A bill to be entitled "An Act to provide for the creation of a hotel commission, the duties of which are to collect an annual license from each hotel and rooming house, having fifteen or more rooms for the use of guests, and all restaurants doing business in the State, and compelling owners and lessees of such concerns to run same in a sanitary manner, and prescribing punishment for violations of same, and carries an appropriation to maintain the commission. Effective September 1, 1917."

Read first time and referred to Committee on Public Health.

By Senator Buchanan of Bell:

S. B. No. 42, A bill to be entitled "An Act to provide for the registration of land titles in this State, to prescribe the procedure, the duties of officers in relation thereto, the venue, the form of registration certificates and the recording thereof, for the appointment of examiners and fees to be charged in such proceedings."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Hudspeth:

S. B. No. 43, A bill to be entitled "An Act requiring persons handling pistols to secure a license therefor, to pay an occupation tax thereon, and to keep a record of all pistol transactions, and providing penalties for violation of this Act, and declaring an emergency."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senator Hudspeth:

S. B. No. 44, A bill to be entitled "An Act to amend Article 7059, Chapter 3, Title 120, of the

Revised Statutes of the State of Texas, 1911."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Dean:

S. B. No. 45, A bill to be entitled "An Act to prohibit commissioners' courts from issuing warrants, negotiable or non-negotiable, interest bearing or non-interest bearing, or from otherwise contracting debts against the court house and jail fund, or the road and bridge fund, of their respective counties, in excess of the estimated receipts for the year for which such warrants or evidences of indebtedness are issued, and declaring all contracts undertaking to create any indebtedness against any fund in excess of the estimated receipts to accrue for that year to such fund to be illegal and void."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Dean:

S. B. No. 46, A bill to be entitled "An Act to amend Article 7684 of the Revised Civil Statutes of 1911, by providing a period of limitation within which action must be brought to foreclosure liens upon land securing taxes, providing a period within which such liens shall become barred."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Dean:

S. B. No. 47, A bill to be entitled "An Act making appropriations for the support and maintenance of the Sam Houston Normal School; the San Marcos Normal School; the Denton Normal School and the Canyon City Normal School during the summer of 1917, and declaring an emergency."

Read first time and referred to Committee on Finance.

By Senator Hudspeth:

S. B. No. 48, A bill to be entitled "An Act creating the County court of El Paso County for civil cases; to fix and prescribe the jurisdiction thereof, and to conform to such change in the jurisdiction of the County Court of El Paso County, fixing the salaries of the judges of the County Court of El Paso County, and of the County Court of El Paso



County for civil cases, providing for the appointment and election of the judges of said court hereby created; providing for the appointment of special judges and filling of vacancies in said office and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Hudspeth:

S. B. No. 49, A bill to be entitled "An Act requiring the employment of citizens of the United States on public work; providing that any violation of the Act shall render all contracts with the State, county or municipality void, requiring all boards, officers, agents or employees of the State, county or municipalities, having the power to enter into contracts for public work, to file in the office of the Commissioner of Labor Statistics, the names and addresses of all contractors having a contract with the State, county or municipality, requiring all contractors holding contracts with the State, county or municipality to furnish the Commissioner of Labor Statistics with the names and addresses of all sub-contractors on public work, requiring all contractors to keep a list of all employees, stating whether they are natural born or naturalized citizens of the United States, and providing that all such lists shall be open to the inspection of the Commissioner of Labor Statistics; providing penalties and declaring an emergency."

Read first time and referred to the Committee on Labor

By Senator Hudspeth:

S. B. No. 50, A bill to be entitled "An Act to amend Section 24 of Article 1830, Title 37, Revised Civil Statutes of 1911, of the State of Texas, which fixes the venue of suits against any private corporation, association or joint stock company in any county in which the cause of action or a part thereof arose, by providing in addition thereto that any person or firm may be sued in any county in which the cause of action or a part thereof arose, without regard to when the cause of action may have accrued or suit begun, and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Hudspeth:

S. B. No. 51, A bill to be entitled "An Act to authorize a married woman, who may be appointed a notary public, to execute the bond required as such, and to bind her separate estate as principal, jointly with her husband, or without her husband under certain circumstances, and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Hudspeth:

S. B. No. 52, A bill to be entitled "An Act to prescribe the time of holding the terms of the district court in the various counties comprising the Sixty-third Judicial District of the State of Texas, and to repeal all laws in conflict therewith, and declaring an emergency."

Read first time and referred to Committee on Judicial Districts.

By Senator Hudspeth:

S. B. No. 53, A bill to be entitled "An Act to prohibit fishing and hunting upon the enclosed land of any person, firm or corporation, without the consent of such person, firm or corporation or a duly authorized agent, prescribing a penalty for the violation of this Act; repealing Articles 1255, 1255a, 1255b, 1255c, 1255d, 1255e and 1256, Revised Criminal Statutes of 1911, and declaring an emergency."

Read first time and referred to Committee on Stock and Stock Raising.

By Senators Lattimore, Dean, Dayton, Henderson, Decherd, Hopkins, Buchanan of Scurry, Buchanan of Bell, McNealus, Strickland, Johnson, Woodward, Westbrook, Alderdice, Suiter, Gibson, Robbins, Floyd:

S. J. R. No. 1, Proposing amendment to State Constitution prohibiting the manufacture, sale, barter and exchange of intoxicating liquors, except for medicinal purposes, scientific and sacramental purposes.

Read first time and referred to Committee on Constitutional Amendments.

By Senators Buchanan of Bell and Buchanan of Scurry:

S. J. R. No. 2, Proposing an amendment to Section 55 of Article 3 of the Constitution of the State of Texas, by adding thereto a pro-



vision barring the right to bring suit for the collection of delinquent taxes after four years from the date of such delinquency.

Read first time and referred to Committee on Constitutional Amendments.

By Senator Hopkins:

S. J. R. No. 3, to be entitled a Joint Resolution proposing and submitting to a vote of the people of Texas an amendment to Section 9, Article VIII, of the Constitution of the State of Texas, authorizing the levy of a special tax of not exceeding seventy-five cents on the one hundred dollars valuation and a vehicle tax of not exceeding one dollar on the one hundred dollars valuation for the improvement and maintenance of public roads.

Read first time and referred to Committee on Constitutional Amendments.

By Senator Hopkins:

S. J. R. No. 4, to be entitled a Joint Resolution proposing and submitting to the people of Texas an amendment to the Constitution striking therefrom Sections 14 and 16, Article VIII, by amending Section 44, Article XVI, of the Constitution of the State of Texas, so as to abolish the offices of assessor of taxes, collector of taxes and county treasurer and creating the office of assessor and collector of taxes for each county and authorizing the sheriff to act as assessor and collector of taxes in counties having a population of less than ten thousand inhabitants.

Read first time and referred to Committee on Constitutional Amendments.

By Senator McNealus:

S. C. R. No. 1, A resolution providing for a Constitutional Convention to convene on the second Tuesday in January, 1918.

Read first time and referred to Committee on Constitutional Amendments.

By Senator McNealus:

S. C. R. No. 2, Reference to block pictures of the members of the Thirty-fifth Legislature.

By Senators Johnston and Dean:

S. C. R. No. 3, Providing that Friday, March 2, 1917, be celebrated as Sam Houston Memorial Day.

Read first time and referred to Committee on State Affairs.

#### Messages from the House.

Hall of the House of Representatives, Austin, Texas, January 10, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has completed its organization by electing the following officers:

Hon. F. O. Fuller, Speaker.

Bob Barker, Chief Clerk.

Stuart Francis, Sergeant-at-Arms.

L. P. Archer, Assistant Sergeant-at-Arms.

J. L. Robinson, Journal Clerk.

O. P. Basford, Reading Clerk.

T. B. Reese, Assistant Reading Clerk.

Ed Graham, Calendar Clerk.

Laten Stanberry, Engrossing Clerk.

J. T. Robison, Enrolling Clerk.

J. K. Lane, Doorkeeper.

M. G. Jackson, Assistant Doorkeeper.

C. J. Mitchell, Chaplain.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

Hall of the House of Representatives, Austin, Texas, January 10, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following House Concurrent Resolution No. 1, providing for the counting of the vote for Governor and Lieutenant Governor.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

#### Standing Committees.

The Chair here announced the appointment of the following standing committees:

Civil Jurisprudence—Bailey, Lattimore, Bee, Henderson, King, Harley, Hopkins, Suiter, Dean, Hall, Alderdice.

Criminal Jurisprudence—Page, Hall, King, Caldwell, Strickland, Lattimore, Hudspeth, Westbrook, Dayton, Henderson, Suiter.

Constitutional Amendments—Westbrook, Suiter, McNealus, Hopkins, Hall, Dean, Buchanan of

Scurry, Page, Johnston of Harris, Caldwell, Bee.

Educational Affairs—Bee, Bailey, Lattimore, Robbins, Dayton, Gibson, Alderdice, Buchanan of Scurry, Decherd, Floyd, Smith, Dean, Page, Johnson of Hall, Harley.

Internal Improvements—Johnson of Hall, Johnston of Harris, Hall, Harley, Henderson, Bailey, Gibson, McNealus, Clark, Lattimore, Westbrook, McCollum, Strickland.

Finance—Hudspeth, Caldwell, Johnson of Hall, Page, King, Westbrook, Clark, Parr, Johnston of Harris, Dean, Hopkins, Decherd, Bee.

Public Lands and Land Office—Parr, Buchanan of Bell, Hudspeth, Decherd, Dayton, Hall, Johnson of Hall, King, Buchanan of Scurry.

State Penitentiaries—Dean, Parr, Alderdice, McNealus, Harley, Robbins, Gibson, Johnston of Harris, Strickland.

Public Health—McNealus, Clark, Bee, Strickland, Smith, Decherd, Henderson.

Military Affairs—Robbins, Harley, Bailey, Woodward, Suiter, Bee, Johnson of Hall.

State Affairs—McCollum, King, Gibson, Westbrook, Smith, Robbins, Dayton, Strickland, Lattimore.

Commerce and Manufactures—Lattimore, Gibson, Henderson, Johnson of Hall, McNealus, Strickland, Floyd.

Roads, Bridges and Ferries—Caldwell, Gibson, Smith, Strickland, Clark, Floyd, Buchanan of Scurry.

Public Debt, Claims and Accounts—Suiter, Alderdice, McNealus, McCollum, Floyd, Buchanan of Bell, Robbins.

Contingent Expenses—Henderson, Robbins, Woodward, Buchanan of Bell, Alderdice.

Federal Relations—Hopkins, Robbins, Dayton, Parr, Alderdice.

Counties and County Boundaries—Parr, Smith, Woodward, Johnston of Harris, Clark.

Public Printing—Floyd, Johnson of Hall, Johnston of Harris, McCollum, McNealus.

Judicial Districts—Buchanan of Scurry, King, Suiter, Henderson, Parr, Dean, Hall, Johnston of Harris, McCollum.

Stock and Stock Raising—Clark, Parr, Johnson of Hall, Hudspeth, Buchanan of Bell, Dean, Robbins.

Agricultural Affairs—Woodward, Gibson, Alderdice, Buchanan of Scurry, Suiter, Decherd, Floyd, Dayton, Buchanan of Bell.

State Institutions and Departments—Strickland, McCollum, Floyd, Hopkins, Woodward, Buchanan of Scurry, Westbrook.

Privileges and Elections—Dayton, Johnston of Harris, Decherd, King, Buchanan of Bell, Page, Bailey.

Public Buildings and Grounds—Buchanan of Bell, Floyd, Buchanan of Scurry, Westbrook, Henderson, Caldwell, Decherd.

Rules—King, Page, Hudspeth, Lattimore, Hopkins.

Engrossed Bills—Alderdice, Westbrook, Caldwell.

Enrolled Bills—Smith, Hopkins, Woodward.

Insurance and Banking—Gibson, Clark, Page, Bailey, Smith, McCollum, Hudspeth, Dean, McNealus.

Towns and City Corporations—Johnston of Harris, Bee, McNealus, Lattimore, King, McCollum, Hall, Page, Suiter.

Mining, Irrigation and Drainage—Hall, Bailey, King, Clark, Woodward, Harley, Caldwell, Dayton, Robbins.

Labor—McNealus, Smith, Suiter, Lattimore, Henderson, Bee, Hudspeth, Strickland, Clark.

Congressional Districts—Harley, Clark, Gibson, Page, Hudspeth, Bee, McCollum, Woodward, Dean, Robbins, Strickland, Decherd, Parr.

Senatorial Districts—Decherd, Clark, Buchanan of Scurry, Floyd, Hopkins, Buchanan of Bell, Henderson, Johnson of Hall, Harley.

#### Senate Concurrent Resolution No. 2.

Senator McNealus called up the following concurrent resolution:

Senate Concurrent Resolution No. 2, Be it resolved, That the Jensen-Raymer Studio, 918 Congress avenue, be permitted to photograph all the members of the Thirty-fifth Legislature, for the purpose of making block-pictures, to be hung in the legislative halls. It is agreed that the photographs be arranged in a combination, name and county under each photograph, the whole protected by glass and framed. All to be gotten up in a workmanlike man-

ner and acceptable to the honorable Legislature.

The above described pictures and frames are offered complimentary to the honorable Legislature—no charge whatever.

The Jensen-Raymer Studio further agrees to complete the block pictures before adjournment of the Legislature, provided the members are prompt in sitting for their pictures.

Clark, Harley, Buchanan of Scurry, McNealus, Hudspeth, Buchanan of Bell, Gibson, Woodward, Dean, Dayton, Hall, Westbrook, Johnston of Harris, McCollum, Bailey, Robbins.

Pending.

(President Pro Tem. Henderson in the chair.)

#### Recess.

Senator Bee moved that the Senate recess until 2:30 o'clock today.

Senator Johnston of Harris moved, as a substitute, that the Senate recess until 3 o'clock today.

The substitute motion was adopted.

#### After Recess.

The Senate was called to order by President Pro Tem. Henderson.

#### Senate Concurrent Resolution No. 2.

(Pending.)

The Chair laid before the Senate the unfinished business, Senate Concurrent Resolution No. 2, relative to the block picture.

The resolution was read and adopted.

#### House Concurrent Resolution No. 1.

The Chair laid before the Senate, House Concurrent Resolution No. 1, providing for a committee to canvass the vote for Governor and Lieutenant Governor.

The resolution was read and adopted.

The Chair (President Pro Tem. Henderson) announced the following committee on part of the Senate: Bailey, Woodward and Gibson.

#### Simple Resolution No. 8.

By Senator Clark:

Whereas, For the efficient and speedy work of the Senate, it is necessary that a complete force be had;

Whereas, At various times a regular stenographer, elected by each Senator, is sick or through enforced absence unable to perform his or her duties;

Whereas, It is essential to have a complete clerical force so that work may be expedited in the Senate; therefore, be it

Resolved, That the following be elected as utility stenographers to work for each and every Senator or committee and each and every department when his or her services may be demanded:

Miss Nellie Shannon, Miss Myrtle Morrison, Miss Ida Donnelly, W. M. Gill, Miss Irene Luenberger, Miss Nellie White, Miss Minnie Hornsby, Miss Irma Claire, Miss Cassie Milhouse, Capt. Williams of Houston, John L. Stephenson, Mat Wilson.

Hudspeth, Parr, McNealus, Bee, Caldwell, McCollum, Harley, Clark, Buchanan of Scurry, Woodward, Johnston.

Senator Strickland offered the following amendment:

Amend by adding the names of Jonas Kiser, Miss Ruth Epner and Miss Maude Sammons.

Senator King moved to refer the resolution and amendment to the Committee on Rules.

Senator Hudspeth moved to table the motion to refer.

The motion to table was lost by the following vote:

Yeas—12.

Bee.	Johnston of Harris.
Caldwell.	McCollum.
Clark.	McNealus.
Hall.	Page.
Harley.	Parr.
Hudspeth.	Woodward.

Nays—15.

Bailey.	Johnson of Hall.
Buchanan of Bell.	King.
Buchanan of Scurry.	Lattimore.
Dean.	Robbins.
Decherd.	Strickland.
Floyd.	Suiter.
Gibson.	Westbrook.
Hopkins.	

## Present—Not Voting.

Dayton. Henderson.

## Absent.

Alderdice.

## Absent—Excused.

Smith.

Action recurring on motion to refer resolution to Committee on Rules, and the same was adopted by the following vote:

## Yeas—15.

Alderdice.	Johnson of Hall.
Buchanan of Bell.	King.
Buchanan of Scurry.	Lattimore.
Dean.	Robbins.
Decherd.	Strickland.
Floyd.	Suiter.
Gibson.	Westbrook.
Hopkins.	

## Nays—13.

Bee.	Johnston of Harris.
Caldwell.	McCollum.
Clark.	McNealus.
Dayton.	Page.
Hall.	Parr.
Harley.	Woodward.
Hudspeth.	

## Present—Not Voting.

Henderson.

## Absent.

Bailey.

## Absent—Excused.

Smith.

## Senate Bill No. 32.

Senator Hudspeth asked unanimous consent to take up Senate Bill No. 32, and moved that the Senate rule requiring committee reports, to lie over for one day be suspended, which motion prevailed.

The committee report was adopted.

On motion of Senator Hudspeth, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 32 put on its second reading by the following vote:

## Yeas—28.

Alderdice.	Buchanan of Bell.
Bailey.	Buchanan of Scurry.
Bee.	Caldwell.

Clark.	Johnston of Harris.
Dayton.	King.
Dean.	Lattimore.
Decherd.	McCollum.
Floyd.	McNealus.
Gibson.	Page.
Hall.	Robbins.
Harley.	Strickland.
Henderson.	Suiter.
Hopkins.	Westbrook.
Hudspeth.	Woodward.
Johnson of Hall.	

## Nays—1.

Parr.

## Absent—Excused.

Smith.

The Chair laid before the Senate, on second reading,

S. B. No. 32, A bill providing for appropriation of \$125,000 to pay mileage and per diem of members and per diem of employees of the members of Thirty-fifth Legislature.

The bill was read second time and passed to engrossment.

On motion of Senator Hudspeth, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 32 put on its third reading and final passage by the following vote:

## Yeas—28.

Alderdice.	Hopkins.
Bailey.	Hudspeth.
Bee.	Johnson of Hall.
Buchanan of Bell.	Johnston of Harris.
Buchanan of Scurry.	King.
Caldwell.	Lattimore.
Clark.	McNealus.
Dayton.	Page.
Dean.	Parr.
Decherd.	Robbins.
Floyd.	Strickland.
Gibson.	Suiter.
Hall.	Westbrook.
Harley.	Woodward.

## Present—Not Voting.

Henderson.

## Absent.

McCollum.

## Absent—Excused.

Smith.

The bill was laid before the Senate, read third time, and passed by the following vote:



## Yeas—28.

Alderdice.	Hopkins.
Bailey.	Hudspeth.
Bee.	Johnson of Hall.
Buchanan of Bell.	Johnston of Harris.
Buchanan of Scurry.	King.
Caldwell.	Lattimore.
Clark.	McNealus.
Dayton.	Page.
Dean.	Parr.
Decherd.	Robbins.
Floyd.	Strickland.
Gibson.	Suiter.
Hall.	Westbrook.
Harley.	Woodward.

## Present—Not Voting.

Henderson.

## Absent.

McCollum.

## Absent—Excused.

Smith.

Senator Hudspeth moved to reconsider the vote by which Senate Bill No. 32 was passed and table the motion to reconsider.

The motion to table prevailed.

## Senate Bill No. 33.

Senator Hudspeth asked unanimous consent to take up Senate Bill No. 33, and moved that the Senate rule requiring committee reports to lie over for one day be suspended, which motion was adopted.

The committee report was adopted.

On motion of Senator Hudspeth, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 33 put on its second reading by the following vote:

## Yeas—28.

Alderdice.	Hudspeth.
Bee.	Johnson of Hall.
Buchanan of Bell.	Johnston of Harris.
Buchanan of Scurry.	King.
Caldwell.	Lattimore.
Clark.	McCollum.
Dayton.	McNealus.
Dean.	Page.
Decherd.	Parr.
Floyd.	Robbins.
Gibson.	Strickland.
Hall.	Suiter.
Harley.	Westbrook.
Hopkins.	Woodward.

## Present—Not Voting.

Bailey.

Henderson.

## Absent—Excused.

Smith.

The Chair laid before the Senate on second reading,

S. B. No. 33, providing appropriation to pay contingent expenses of the Thirty-fifth Legislature.

The bill was read second time and passed to engrossment.

On motion of Senator Hudspeth, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 33 put on its third reading and final passage by the following vote:

## Yeas—28.

Alderdice.	Hopkins.
Bailey.	Hudspeth.
Bee.	Johnson of Hall.
Buchanan of Bell.	Johnston of Harris.
Buchanan of Scurry.	King.
Caldwell.	Lattimore.
Clark.	McNealus.
Dayton.	Page.
Dean.	Parr.
Decherd.	Robbins.
Floyd.	Strickland.
Gibson.	Suiter.
Hall.	Westbrook.
Harley.	Woodward.

## Present—Not Voting.

Henderson.

## Absent.

McCollum.

## Absent—Excused.

Smith.

The Chair laid before the Senate, on third reading.

Senate Bill No. 33.

The bill was read third time and passed by the following vote:

## Yeas—28.

Alderdice.	Hall.
Bailey.	Harley.
Bee.	Hopkins.
Buchanan of Bell.	Hudspeth.
Buchanan of Scurry.	Johnson of Hall.
Caldwell.	Johnston of Harris.
Clark.	King.
Dayton.	Lattimore.
Dean.	McNealus.
Decherd.	Page.
Floyd.	Parr.
Gibson.	Robbins.

Strickland. Westbrook.  
Suiter. Woodward.

Present—Not Voting.

Henderson.

Absent.

McCollum.

Absent—Excused.

Smith.

Senator Hudspeth moved to reconsider the vote by which Senate Bill No. 33 was passed and table the motion to reconsider.

The motion to table prevailed.

#### Senate Bill No. 21.

Senator Hudspeth asked unanimous consent to take up Senate Bill No. 21, and moved that the Senate rule requiring committee reports to lie over for one day be suspended, which motion was adopted.

The committee report was adopted.

On motion of Senator Hudspeth, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 21 put on its second reading by the following vote:

Yeas—27.

Alderdice.	Hudspeth.
Bailey.	Johnson of Hall.
Bee.	Johnston of Harris.
Buchanan of Bell.	King.
Buchanan of Scurry.	Lattimore.
Caldwell.	McNealus.
Clark.	Page.
Dean.	Parr.
Decherd.	Robbins.
Floyd.	Strickland.
Gibson.	Suiter.
Hall.	Westbrook.
Harley.	Woodward.
Hopkins.	

Present—Not Voting.

Henderson.

Absent.

Dayton.

McCollum.

Absent—Excused.

Smith.

The Chair laid before the Senate on second reading,

S. B. No. 21, A bill providing an appropriation to pay the mileage and per diem of the presidential electors of Texas for year 1917.

The bill was read second time and passed to engrossment.

On motion of Senator Hudspeth, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 21 put on its third reading and final passage by the following vote:

Yeas—27.

Alderdice.	Hudspeth.
Bailey.	Johnson of Hall.
Bee.	Johnston of Harris.
Buchanan of Bell.	King.
Buchanan of Scurry.	Lattimore.
Caldwell.	McNealus.
Clark.	Page.
Dean.	Parr.
Decherd.	Robbins.
Floyd.	Strickland.
Gibson.	Suiter.
Hall.	Westbrook.
Harley.	Woodward.
Hopkins.	

Present—Not Voting.

Henderson.

Absent.

Dayton.

McCollum.

Absent—Excused.

Smith.

The Chair laid before the Senate, on third reading, Senate Bill No. 21.

The bill was read third time and passed by the following vote:

Yeas—28.

Alderdice.	Hopkins.
Bailey.	Hudspeth.
Bee.	Johnson of Hall.
Buchanan of Bell.	Johnston of Harris.
Buchanan of Scurry.	King.
Caldwell.	Lattimore.
Clark.	McNealus.
Dayton.	Page.
Dean.	Parr.
Decherd.	Robbins.
Floyd.	Strickland.
Gibson.	Suiter.
Hall.	Westbrook.
Harley.	Woodward.

Present—Not Voting.

Henderson.

Absent.

McCollum.

## Absent—Excused.

Smith.

Senator Hudspeth moved to reconsider the vote by which Senate Bill No. 21 was passed and table the motion to reconsider.

The motion to table prevailed.

## Simple Resolution No. 9.

By Senator Harley:

Whereas, The constitutional officers and employes of the Senate of the Thirty-fifth Legislature will require the use of a number of typewriters to perform the duties; therefore be it

Resolved by the Senate, That the Sergeant-at-Arms be instructed to rent at the lowest possible rental, one dozen typewriters, and that the rent of same be paid for out of the contingent expenses of the senate.

Harley, Alderdice, Strickland, Hall.

The resolution was read, and Senator Lattimore offered the following amendment:

Amend resolution by instructing Sergeant-at-Arms to rent and pay the rent for such typewriter machines as may be necessary for the employes of the Senate.

LATTIMORE,  
HUDSPETH.

Senator Bailey moved to refer the resolution to Committee on Contingent Expenses.

Senator Harley moved to table the motion to refer, which motion to table was adopted by the following vote:

Yeas—15.

Alderdice.	Hopkins.
Buchanan of Bell.	Hudspeth.
Caldwell.	Lattimore.
Clark.	McNealus.
Dayton.	Page.
Gibson.	Parr.
Hall.	Strickland.
Harley.	Woodward.

Nays—12.

Bailey.	Johnson of Hall.
Bee.	Johnston of Harris.
Buchanan of Scurry.	King.
Dean.	Robbins.
Decherd.	Suiter.
Floyd.	Westbrook.

## Present—Not Voting.

Henderson.

Absent.

McCollum.

Absent—Excused.

Smith.

Senator Johnson moved to table the amendment, which motion to table was lost by the following vote:

Yeas—11.

Alderdice.	Floyd.
Bailey.	Johnson of Hall.
Bee.	King.
Buchanan of Scurry.	Suiter.
Dean.	Westbrook.
Decherd.	

Nays—17.

Buchanan of Bell.	Johnston of Harris.
Caldwell.	Lattimore.
Clark.	McNealus.
Dayton.	Page.
Gibson.	Parr.
Hall.	Robbins.
Harley.	Strickland.
Hopkins.	Woodward.
Hudspeth.	

## Present—Not Voting.

Henderson.

Absent.

McCollum.

Absent—Excused.

Smith.

The resolution, as amended, was adopted by the following vote:

Yeas—18.

Alderdice.	Hudspeth.
Buchanan of Bell.	Johnston of Harris.
Caldwell.	Lattimore.
Clark.	McNealus.
Dayton.	Page.
Gibson.	Parr.
Hall.	Robbins.
Harley.	Strickland.
Hopkins.	Woodward.

Nays—10.

Bailey.	Floyd.
Bee.	Johnson of Hall.
Buchanan of Scurry.	King.
Dean.	Suiter.
Decherd.	Westbrook.

Present—Not Voting.

Henderson.

Absent.

McCollum.

Absent—Excused.

Smith.

### Adjournment.

On motion of Senator Bailey, the Senate at 4:45 o'clock p. m., adjourned until 10 o'clock tomorrow morning.

## APPENDIX.

### Committee Reports.

(Floor Report.)

Senate Chamber,

Austin, Texas, January 10, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

Senate bill No. 21, A bill to be entitled "An Act making appropriation to pay the mileage and per diem of the Presidential Electors of Texas for the year 1917, and declaring an emergency,"

Have had the same under consideration, and beg to report it back to the Senate with the recommendation that it do pass, but be not printed.

Hudspeth, Chairman; Westbrook, Page, Dean, Clark, Johnston, Hopkins, Johnson, Bee, Decherd, King, Parr, Caldwell.

(Floor Report.)

Senate Chamber,

Austin, Texas, January 10, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

Senate bill No. 32, A bill to be entitled, "An Act appropriating the sum of one hundred twenty-five thousand dollars (\$125,000.00), or so much thereof as may be necessary, out of the general revenue, not otherwise appropriated, to pay the mileage and per diem of members and the salaries and per diem of officers and employes of the Thirty-fifth Legislature of the State of Texas,

providing how accounts may be approved, and declaring an emergency,"

Have had the same under consideration, and beg to report it back to the Senate, with the recommendation that it do pass, and be not printed.

Hudspeth, Chairman; King, Parr, Johnston, Clark, Johnson, Caldwell, Bee, Hopkins, Dean, Westbrook, Page, Dechard.

(Floor Report.)

Senate Chamber,

Austin, Texas, January 10, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

Senate bill No. 33, A bill to be entitled, "An Act making appropriation of the sum of thirty thousand (\$30,000) dollars, or as much thereof as may be necessary, to pay the contingent expenses of the Thirty-fifth Legislature of the State of Texas, providing how accounts may be approved, and declaring an emergency,"

Have had the same under consideration, and beg to report it back to the Senate with the recommendation that it do pass, but be not printed.

Hudspeth, Chairman; King, Parr, Johnston, Clark, Johnson, Caldwell, Bee, Hopkins, Dean, Westbrook, Page, Decherd.

## THIRD DAY.

Senate Chamber,

Austin, Texas,

Thursday, January 11, 1917.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor W. P. Hobby.

The roll was called, a quorum being present, the following Senators answering to their names:

Alderdice.	Dean.
Bailey.	Decherd.
Bee.	Floyd.
Buchanan of Bell.	Gibson.
Buchanan of Scurry.	Hall.
Clark.	Harley.
Caldwell.	Henderson.
Dayton.	Hopkins.